



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

### Color Country District Office

#### Cedar City Field Office

176 East DL Sargent Drive

Cedar City, UT 84721

Telephone (435) 586-2401

[www.blm.gov/ut/st/en/fo/cedar\\_city.html](http://www.blm.gov/ut/st/en/fo/cedar_city.html)

**In Reply Refer To:**  
UT-040  
4130/4160

## **FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND PROPOSED DECISION Eight Mile Hills**

Transfer of Grazing Preference From  
8-Mile LLC  
To  
Craig and Scott Jones  
And Issuance of a New Grazing Permit

### **INTRODUCTION**

On November 9, 2015, Craig and Scott Jones submitted transfer documentation for the grazing preference associated with the 8-Mile LLC grazing permit. Craig and Scott Jones have entered into a 10 year base property lease agreement. This Proposed Decision will authorize the transfer of the grazing preference from 8-Mile LLC and the issuance of a new ten year grazing permit to Craig and Scott Jones.

### **BACKGROUND**

The Eight Mile Hills Allotment is located in Iron County, Utah and located west of Cedar City, Utah. The Eight Mile Hills Allotment is located within the Escalante Desert Hydrologic Unit Boundary (HUB) as determined by the USGS. The Eight Mile Hills Allotment contains approximately 3,749 of public lands, 1,339 acres of private lands, and 0 acres of state lands.(Refer to the Attached Map). .

An Environmental Assessment (EA-040-09-18) was prepared to analyze the effects of grazing management practices within the Eight Mile Hills Allotment. Following the analysis, a Finding of No Significant Impact (FONSI) and Grazing Permit Renewal Proposed Decision for the Eight Mile Hills Allotment was issued to the interested public. The Proposed Decision was issued for the 15-day protest and 30-day appeal period. The decision was not protested or appealed and became final on September 28, 2009 (a copy of the final decision is available upon request at the CCFO). (This action will be referred to as EA/FONSI/DR throughout the rest of this document).

The following grazing management system and Terms and Conditions were issued for the Eight Mile Hills Allotment through the 2009 Grazing Permit Renewal Decision.

- Establish the total active permitted use within the Eight Mile Hills Allotment at 102 AUMs.
- Establish the number of livestock, kind of livestock, season of use, percent public land and AUMs as indicated in the following table on the Eight Mile Hills Allotment:

ALLOTMENT	LIVESTOCK NUMBER	LIVESTOCK KIND	SEASON OF USE	% PUBLIC LAND	AUMS
Eight Mile Hills	75	Sheep	10/01 - 05/31	100	102

#### **Allotment Specific Objectives for the Eight Mile Hills Allotment**

1. Range trend would be static to upward.
2. Utilization of “Key Upland Forage Species” would not exceed 50% utilization, by weight, of the current year’s vegetative growth by the end of the authorized grazing season.
3. Utilization of “Key Shrub Species” would not exceed 40% by the end of the grazing year.
4. If utilization objectives reach specified objectives where measurable standards have been established, the permittee would be required to remove sheep from that area immediately upon notification.
5. Sheep bedding areas would be located in designated sites within the allotment. The sheep bedding areas would be located in historical sheep bedding areas, in areas that have been previously disturbed or in areas otherwise devoid of vegetation.
6. If a new bald eagle roost site is discovered on BLM lands in the future, BLM will monitor livestock grazing at that site and determine if grazing is affecting eagles at the roost. Any adverse effects would be mitigated, including removal of livestock if necessary.
7. In order to determine if these Allotment Specific Objectives are being met, monitoring studies would be conducted in accordance with Attachment 1 of EA-040-09-18.

#### **Terms and Conditions for the Eight Mile Hills Allotment**

1. Livestock grazing use will be in accordance with the Livestock Decision and Environmental Assessment (UT-040-09-18) dated September 8, 2009.
2. Grazing fees must be paid in full prior to livestock turnout. Actual use information must be reported within 15 days following the completion of the grazing season.
3. Failure to pay the grazing bill within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25 or 10 percent of the amount due whichever is greater but will not exceed \$250. Payment after 15 days of the due date, shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 4140.1(b) (1) and shall result in action by the authorized officer (4150.1 and 4160.1-2).

4. Livestock grazing use will be managed in accordance with the Utah Guidelines for Grazing Management. This permit, including the terms and conditions, may be modified if additional information indicates that revision is necessary in order to conform with the Utah Standards for Rangeland Health, the Fundamentals of Rangeland Health and Regulations at Title 43 CFR 4180 or other provisions of 43 CFR 4100.
5. Maintenance of all structural range projects are a responsibility of the permittees. Maintenance will be in accordance with the approved cooperative agreements for range improvements (Form 4120-6) or range improvement permit (Form 4120-7). Failure to maintain assigned projects in satisfactory condition constitutes a violation in accordance with Title 43 CFR 4140.1 (a) (4) and may result in the suspension of your license until maintenance is completed.
6. Movement to the next scheduled pasture will occur on the specified dates, when allowable utilization on key species is attained, or when unusual climatic conditions dictate a move. Move dates will be adjusted as needed to balance utilization between areas on each pasture when monitoring indicates the need. Authorized use will be adjusted, as needed, based on annual climatic conditions, forage production and plant vigor. A total of 3-5 days will be allowed to move from one pasture to another.
7. Temporary holding pens and water hauling locations would be authorized at locations that have been used for this purpose in the past, in areas that have been previously disturbed or in areas otherwise devoid of vegetation. The temporary holding pens would be authorized for 7 days or less and be less than one half acre in size. Temporary holding pens would be required to be completely removed at the end of the grazing season
8. All salt/mineral supplements will be located at least ¼ mile or further distance from any riparian area, wet meadow or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.
9. Supplemental feeding of roughage is prohibited on public lands unless emergency conditions exist, then only by written permission from the authorized officer [Title 43 CFR 4140.1 (a) (3)].
10. The permittee will be allowed 3-5 days flexibility following the scheduled use dates to move livestock.
11. All enclosures on public land throughout the allotment(s) will be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
12. All grazing permittees will provide reasonable access across private and/or leased lands to the BLM personnel for the orderly management and protection of the public lands.
13. Livestock are to be managed (herding, salting, water hauling or removal) to ensure that the Allotment Specific Objectives are met.
14. Permits and leases will be subject to cancellation, suspension or modification for any violation of these regulations or of any term or condition of the permit.

Documentation of Land Use Plan Conformance and a Determination of NEPA Adequacy (DOI-BLM-UT-C010-2016-0020-DNA) has been completed for the grazing allotment transfer and the issuance of a new ten-year term grazing permit to Craig and Scott Jones. The DNA is tiered to the Grazing permit Renewal for the Eight Mile Hills Allotment (EA-040-09-18). The EA analyzed the impacts of the grazing management decision, which identified season of use, kind and number of livestock, grazing management system, etc... The Grazing Permit Renewal Decision for the Eight Mile Hills Allotment became final on November 13, 2009.

**Finding of No Significant Impact (FONSI) Determination**

Based on the identification and analysis of potential environmental impacts contained in the attached DOI-BLM-UT-C010-2016-0020-DNA and referenced EA-040-09-18, I have determined that the action will not have a significant effect on the human environment. Therefore, an Environmental Impact Statement (EIS) is not required.

  
Elizabeth R. Burghard  
Field Office Manager

1/7/16  
Date

## PROPOSED DECISION

---

It is my proposed decision to authorize the transfer of the cattle grazing preference for the Eight Mile Hills Allotment to Craig and Scott Jones from 8-Mile LLC. In addition, a new ten year grazing permit will be issued to Craig and Scott Jones. The ten year grazing permit will be issued consistent with the authorized use, grazing schedule and Terms and Conditions identified in the EA/FONSI/DR's. The EA/FONSI/DR's were issued for the 15-day protest and 30-day appeal period and became final on September 28, 2009 (a copy of these documents are available upon request at the CCFO). There was no protest or appeal received for the EA/FONSI/DR's.

The new ten year grazing permit within the Eight Mile Hills Allotment for Craig and Scott Jones will be issued as follows:

### A. Eight Mile Hills Allotment

- Establish the total active permitted use within the Eight Mile Hills Allotment at 102 AUMs.
- Establish the number of livestock, kind of livestock, season of use, percent public land and AUMs as indicated in the following table on the Eight Mile Hills Allotment:

ALLOTMENT	LIVESTOCK NUMBER	LIVESTOCK KIND	SEASON OF USE	% PUBLIC LAND	AUMS
Eight Mile Hills	75	Sheep	10/01 - 05/31	100	102

### Terms and Conditions for the Eight Mile Hills Allotment

1. Livestock grazing use will be in accordance with the Livestock Decision and Environmental Assessment (UT-040-09-18) dated September 8, 2009.
2. Grazing fees must be paid in full prior to livestock turnout. Actual use information must be reported within 15 days following the completion of the grazing season.
3. Failure to pay the grazing bill within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25 or 10 percent of the amount due whichever is greater but will not exceed \$250. Payment after 15 days of the due date, shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 4140.1(b) (1) and shall result in action by the authorized officer (4150.1 and 4160.1-2).
4. Livestock grazing use will be managed in accordance with the Utah Guidelines for Grazing Management. This permit, including the terms and conditions, may be modified if additional information indicates that revision is necessary in order to conform with the Utah Standards for Rangeland Health, the Fundamentals of Rangeland Health and Regulations at Title 43 CFR 4180 or other provisions of 43 CFR 4100.
5. Maintenance of all structural range projects are a responsibility of the permittees. Maintenance will be in accordance with the approved cooperative agreements for range improvements (Form 4120-6) or range improvement permit (Form 4120-7). Failure to maintain assigned projects in satisfactory condition constitutes a violation in accordance with

Title 43 CFR 4140.1 (a) (4) and may result in the suspension of your license until maintenance is completed.

6. Movement to the next scheduled pasture will occur on the specified dates, when allowable utilization on key species is attained, or when unusual climatic conditions dictate a move. Move dates will be adjusted as needed to balance utilization between areas on each pasture when monitoring indicates the need. Authorized use will be adjusted, as needed, based on annual climatic conditions, forage production and plant vigor. A total of 3-5 days will be allowed to move from one pasture to another.
7. All salt/mineral supplements will be located at least ¼ mile or further distance from any riparian area, wet meadow or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.
8. Supplemental feeding of roughage is prohibited on public lands unless emergency conditions exist, then only by written permission from the authorized officer [Title 43 CFR 4140.1 (a) (3)].
9. The permittee will be allowed 3-5 days flexibility following the scheduled use dates to move livestock.
10. All exclosures on public land throughout the allotment(s) will be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
11. All grazing permittees will provide reasonable access across private and/or leased lands to the BLM personnel for the orderly management and protection of the public lands.
12. Livestock are to be managed (herding, salting, water hauling or removal) to ensure that the Allotment Specific Objectives are met.
13. Permits and leases will be subject to cancellation, suspension or modification for any violation of these regulations or of any term or condition of the permit.

## **RATIONALE**

In accordance with 43 CFR 4110.2-3(3), Craig and Scott Jones has accepted the Terms and Conditions associated with the grazing preference and grazing permit for the Eight Mile Hills Allotment. After review of the Craig and Scott Jones transfer application and the base property that has been offered, it has been determined that the transferee is a qualified applicant as specified in 43 CFR 4110. The permitted use along with the Terms and Conditions that will be specified on the grazing permit is in accordance with the EA/FONSI/DR, Standards and Guidelines for Healthy Rangelands and the Fundamentals for Rangeland Health. The ten year grazing permit will be issued consistent with the authorized use, grazing schedule and Terms and Conditions identified in the EA/FONSI/DR. The EA/FONSI/DR was issued for the 15-day protest and 30-day appeal period and became final on September 28, 2009 (a copy of these documents are available upon request at the CCFO). There was no protest or appeal received for the EA/FONSI/DR.

**DECISION AUTHORITY:** The authority for this decision is contained in Title 43 of the Code of Federal Regulations (CFR) including, but not limited to the following:

**§43 CFR 4130.2(a):** Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans. Permits or leases shall specify the types and levels of use authorized, including livestock grazing, suspended use, and conservation use. These grazing permits and leases shall also specify terms and conditions pursuant to §§ 4130.3, 4130.3-1, and 4130.3-2.

**§43 CFR 4130.2(b):** The authorized officer shall consult, cooperate and coordinate with affected permittees or lessees, the State having lands or responsible for managing resources within the area, and the interested public prior to the issuance or renewal of grazing permits and leases.

**§43 CFR 4130.2(d):** The term of grazing permits or leases authorizing livestock grazing on the public lands and other lands under the administration of the Bureau of Land Management shall be 10 years unless (1) The land is being considered for disposal; (2) The land will be devoted to a public purpose which precludes grazing prior to the end of 10 years; (3) The term of the base property lease is less than 10 years, in which case the term of the Federal permit or lease shall coincide with the term of the base property lease; or (4) The authorized officer determines that a permit or lease for less than 10 years is in the best interest of sound land management.

**§43 CFR 4130.3:** Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve management and resource condition objectives for the public lands and other lands administered by the Bureau of Land Management, and to ensure conformance with the provisions of subpart 4180 of this part.

**§43 CFR 4160.1(a):** Proposed decisions shall be served on any affected applicant, permittee or lessee, and any agent and lien holder of record, who is affected by the proposed actions, terms or conditions, or modifications relating to applications, permits and agreements (including range improvement permits) or leases, by certified mail or personal delivery. Copies of proposed decisions shall also be sent to the interested public.

## **LIVESTOCK DECISION PROTEST/APPEAL PROCEDURES**

In accordance with 43 CFR 4160.2, any applicant, permittee, lessee or other interested public may protest the Proposed Decision under 4160.1 of this title, in person or in writing to the authorized officer (Elizabeth R. Burghard, Field Manager), Cedar City Field Office, 176 East DL Sargent Drive, Cedar City, Utah 84721) within 15 days after receipt of such decision. The protest, if filed, must clearly and concisely state the reason(s) as to why the Proposed Decision is in error.

In accordance with 43 CFR 4160.3 (b), should a timely protest be filed with the authorized officer, the authorized officer, at the conclusion to his review of the protest shall serve his Final Decision on the protestant and the interested public.

In the absence of a protest, the Proposed Decision shall constitute my Final Decision without further notice unless otherwise provided in the Proposed Decision in accordance with 43 CFR 4160.3(a).

In accordance with 43 CFR 4.470, 4160.3(c), and 4160.4, any person whose interest is adversely affected by a final decision of the authorized officer may appeal the decision for the purpose of a hearing before an administrative law judge. The appeal must be filed within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision. In accordance with 43 CFR 4.470, the appeal shall state clearly and concisely the reason(s) why the appellant thinks the final decision of the authorized officer is wrong.

Pursuant to 43 CFR 4.471 and 4160.3(c), an appellant also may petition for a stay of the final decision pending appeal by filing a petition for stay along with the appeal within 30 days after the date the proposed decision becomes final or 30 days after receipt of the final decision.

The appeal and any petition for stay must be filed at the office of the authorized officer (Elizabeth R. Burghard, Field Manager), 176 East DL Sargent Drive, Cedar City, Utah 84721). Within 15 days of filing the appeal and any petition for stay, the appellant also must serve a copy of the appeal and any petition for stay on any person named in the decision and listed at the end of the decision, and on the Office of the Solicitor, Regional Solicitor, 125 South State Street, Suite 6201, Salt Lake City, Utah 84138. Pursuant to 43 CFR 4.471(c), a petition for stay, if filed, must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and,
- (4) Whether the public interest favors granting the stay.

43 CFR 4.471(d) provides that the appellant requesting a stay bears the burden of proof to demonstrate that a stay should be granted.

Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings Division in Salt Lake City, Utah, a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the Office of the Solicitor and any other person named in the decision (43 CFR 4.472(b)).

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c)(2)).

  
Elizabeth R. Burghard  
Field Office Manager  
Cedar City Field Office

1/7/16  
Date



**Worksheet**  
**Documentation of Land Use Plan Conformance and**  
**Determination of NEPA Adequacy (DNA)**

U.S. Department of the Interior  
Utah Bureau of Land Management (BLM)

---

This worksheet is to be completed consistent with guidance provided in instructional text boxes on the worksheet and the 'Guidelines for Using the DNA Worksheet' located at the end of the worksheet. The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

**A. BLM Office:** Cedar City Field Office

**Lease/Serial/Case File No:** DOI-BLM-UT-C010-2016-0020-DNA

**Proposed Action Title/Type:**

Transfer the grazing preference and permit for the Eight Mile Hills Allotment to Craig and Scott Jones from 8-Mile LLC.

**Location of Proposed Action:**

The Eight Mile Hills Allotment is located in Iron County, Utah and located west of Cedar City, Utah. The Eight Mile Hills Allotment is located within the Escalante Desert Hydrologic Unit Boundary (HUB) as determined by the USGS. Eight Mile Hills Allotment contains approximately 3,749 acres of public lands and 1,339 acres of private lands (see attached map)

**Description of the Proposed Action:**

Craig and Scott Jones is renewing the base property lease that is associated with the Eight Mile Hills Allotment from 8-Mile LLC. The term of the Base Property Lease will be for a term of 10 years. The Proposed Action would authorize the transfer of livestock grazing preference to Craig and Scott Jones and the issuance of a new ten year grazing permit within the Eight Mile Hills Allotment.

## **B. Conformance with the Land Use Plan (LUP)**

The proposed action is subject to the Cedar Beaver Garfield Antimony Resource Management Plan (1986). It conforms with range decisions related to "M" Category allotments, such as the Eight Mile Allotment, to "continue current management practices to maintain or improve currently satisfactory resource conditions...."

## **C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.**

EA-040-09-18, July, 2009.

Eight Mile Hills Allotment Permit Renewal Final Decision – September 28, 2009

Eight Mile Hills Allotment Evaluation and Monitoring Report – November, 2009.

Eight Mile Hills Allotment Rangeland Health Assessment Summary and Determination Record – November, 2009.

## **D. NEPA Adequacy Criteria**

### **1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?**

☒ Yes

☐ No

An Environmental Assessment (EA-040-09-18) was prepared to analyze the effects of grazing management practices within the Eight Mile Hills Allotment. Following the analysis, a Finding of No Significant Impact (FONSI) and Grazing Permit Renewal Proposed Decision for the Eight Mile Hills Allotment was issued to the interested public. The Proposed Decision was issued for the 15-day protest and 30-day appeal period and became final on November 13, 2009. No changes are proposed from that action.

### **2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values, and circumstances?**

☒ Yes

☐ No

The Eight Mile Hills Allotment grazing permit renewal was posted on the Environmental Notification Bulletin Board in December 2008 to solicit alternative development input

from the public. In addition, a scoping letter was issued to the interested publics in January 2009 requesting information and alternatives for the management of the Eight Mile Hills Allotment. Information and alternatives that were received were fully considered and incorporated. It was determined that a reasonable range of alternatives were analyzed in EA-040-09-18.

**3. Is existing analysis adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?**

☒ Yes

☐ No

Monitoring data including utilization, photo plots and nested frequency have been collected throughout the allotment since the completion of DOI- EA-040-09-18/FONSI/DR. This information does not indicate a change in circumstances on the allotment.

The most recent U.S. Fish and Wildlife Service list of threatened, endangered, proposed and candidate species (16 December 2015) and BLM (20 December 2010 for animals and February 2011 for plants) and UDWR (1 October 2015) lists of sensitive species have been reviewed. The USFWS has added the following species to their Iron County list since the completion of the EA: least chub (candidate), Virgin River chub (endangered) and woundfin (endangered). There is no habitat for least chub within the allotment. There is no habitat within the allotment for Virgin River chub or woundfin, and there would be no water depletion from the applicable HUC8. The existing analysis is adequate for other threatened, endangered and candidate species which occur on the allotment and no additional impacts have been identified.

**4. Do the methodology and analytical approach used in the existing NEPA documents(s) continue to be appropriate for the current proposed action?**

☒ Yes

☐ No

Following the analysis and interpretation of monitoring data within the Eight Mile Hills Allotment management actions were developed and fully analyzed in EA-040-09-18 to ensure that the Standards and Guidelines for Healthy Rangelands were achieved. Further, the NEPA analysis process remains the same.

**5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Do the existing NEPA documents analyze impacts related to the current proposed action at a level of specificity appropriate to the proposal (plan level, programmatic level, project level)?**

☒ Yes

☐ No

The Eight Mile Hills Allotment Permit Renewal (EA-040-09-18) addressed the direct and indirect impacts to other resources based on the continuance of grazing within the allotment. No other direct or indirect impacts have been identified at this time.

**6. Are the reasonably foreseeable cumulative impacts that would result from implementation of the proposed action substantially unchanged from those identified in the existing NEPA document(s)?**

☒ Yes

☐ No

The cumulative impacts analyzed in the Eight Mile Hills Allotment EA-040-09-18 are the same as this action. No other cumulative impacts have been identified at this time.

**7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

☒ Yes

☐ No

The previous action was posted on the ENBB in 2008. The ENBB was continuously updated throughout the permit renewal process. In addition, a scoping letter was sent out to the interested public, in 2009, requesting additional information and alternatives that could be addressed in the environmental assessment.

**E. Interdisciplinary Analysis:** Identify those team members conducting analysis or participating in the preparation of this worksheet.

NAME	TITLE	RESOURCE REPRESENTED
Mitch Bayles	Rangeland Management Specialist	Livestock Grazing, Vegetation, Rangeland Health Standards and Guidelines, Socio-Economic, Environmental Justice
Adam Stephens	Rangeland Management Specialist	Wetlands/Riparian Zones
Ed Ginouves	Mining Engineer	Minerals, Paleontology
Dave Jacobson	Outdoor Recreation Planner	Recreation, Wilderness, Visual, ACEC, Wild and Scenic Rivers
Chad Hunter	Rangeland Management Specialist/Wild Horse and Burro Specialist	Wild Horses and Burros
Shawn Peterson	Natural Resource Specialist	Fuels/Fire Management
Michelle Campeau	Reality Specialist	Lands/Access
Jamie Palmer	Archaeologist/ Special Emphasis Program Coordinator	Native American Religious Concerns
Waymon Pepper	Safety Advisor	Wastes
Sheri Whitfield	Wildlife Biologist	Fish and Wildlife Excluding USFW Designated Species, Migratory Birds and Threatened, Endangered Candidate or Sensitive Animal Species

**F. Mitigation Measures:**

No mitigation measures were identified for the Eight Mile Hills Allotment through the EA/FONSI/DR process nor have any new mitigation measures been identified.

The following identifies the Allotment Specific Objectives and the Terms and Conditions for the Eight Mile Hills Allotment.

**Allotment Specific Objectives**

1. Range trend would be static to upward.
2. Utilization of “Key Upland Forage Species” would not exceed 50% utilization, by weight, of the current year’s vegetative growth by the end of the authorized grazing season.
3. Utilization of “Key Shrub Species” would not exceed 40% by the end of the grazing year.

4. If utilization objectives reach specified objectives where measurable standards have been established, the permittee would be required to remove sheep from that area immediately upon notification.
5. Sheep bedding areas would be located in designated sites within the allotment. The sheep bedding areas would be located in historical sheep bedding areas, in areas that have been previously disturbed or in areas otherwise devoid of vegetation.
6. If a new bald eagle roost site is discovered on BLM lands in the future, BLM will monitor livestock grazing at that site and determine if grazing is affecting eagles at the roost. Any adverse effects would be mitigated, including removal of livestock if necessary.
7. In order to determine if these Allotment Specific Objectives are being met, monitoring studies would be conducted in accordance with Attachment 1 of EA-040-09-18.

#### **Terms and Conditions**

1. Livestock grazing use will be in accordance with the Livestock Decision and Environmental Assessment (UT-040-09-18) dated September 8, 2009.
2. Grazing fees must be paid in full prior to livestock turnout. Actual use information must be reported within 15 days following the completion of the grazing season.
3. Failure to pay the grazing bill within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25 or 10 percent of the amount due whichever is greater but will not exceed \$250. Payment after 15 days of the due date, shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 4140.1(b) (1) and shall result in action by the authorized officer (4150.1 and 4160.1-2).
4. Livestock grazing use will be managed in accordance with the Utah Guidelines for Grazing Management. This permit, including the terms and conditions, may be modified if additional information indicates that revision is necessary in order to conform with the Utah Standards for Rangeland Health, the Fundamentals of Rangeland Health and Regulations at Title 43 CFR 4180 or other provisions of 43 CFR 4100.
5. Maintenance of all structural range projects are a responsibility of the permittees. Maintenance will be in accordance with the approved cooperative agreements for range improvements (Form 4120-6) or range improvement permit (Form 4120-7). Failure to maintain assigned projects in satisfactory condition constitutes a

violation in accordance with Title 43 CFR 4140.1 (a) (4) and may result in the suspension of your license until maintenance is completed.

6. Movement to the next scheduled pasture will occur on the specified dates, when allowable utilization on key species is attained, or when unusual climatic conditions dictate a move. Move dates will be adjusted as needed to balance utilization between areas on each pasture when monitoring indicates the need. Authorized use will be adjusted, as needed, based on annual climatic conditions, forage production and plant vigor. A total of 3-5 days will be allowed to move from one pasture to another.
7. Temporary holding pens and water hauling locations would be authorized at locations that have been used for this purpose in the past, in areas that have been previously disturbed or in areas otherwise devoid of vegetation. The temporary holding pens would be authorized for 7 days or less and be less than one half acre in size. Temporary holding pens would be required to be completely removed at the end of the grazing season.
8. All salt/mineral supplements will be located at least ¼ mile or further distance from any riparian area, wet meadow or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.
9. Supplemental feeding of roughage is prohibited on public lands unless emergency conditions exist, then only by written permission from the authorized officer [Title 43 CFR 4140.1 (a) (3)].
10. The permittee will be allowed 3-5 days flexibility following the scheduled use dates to move livestock.
11. All exclosures on public land throughout the allotment(s) will be closed to livestock grazing unless grazing use is applied for by the permittee and is authorized in writing by the authorized officer.
12. All grazing permittees will provide reasonable access across private and/or leased lands to the BLM personnel for the orderly management and protection of the public lands.
13. Livestock are to be managed (herding, salting, water hauling or removal) to ensure that the Allotment Specific Objectives are met.
14. Permits and leases will be subject to cancellation, suspension or modification for any violation of these regulations or of any term or condition of the permit.

## **CONCLUSIONS**

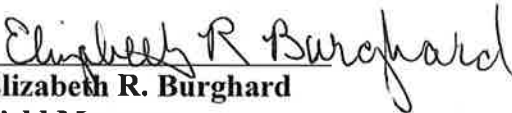
Based on the review documented above, I conclude that:

### **Plan Conformance:**

- ☒ This proposal conforms to the applicable land use plan.
- ☐ This proposal does not conform to the applicable land use plan

### **Determination of NEPA Adequacy**

- ☐ The existing NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.
- ☐ The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered.

  
**Elizabeth R. Burghard**  
**Field Manager**  
**Cedar City Field Office**

1/7/16  
**Date**



# INTERDISCIPLINARY TEAM ANALYSIS RECORD CHECKLIST

**Project Title:** Eight Mile Hills Allotment Livestock Grazing Permit Base Property Transfer

**NEPA Log Number:** DOI-BLM-UT-C010-2016-0020-DNA

**File/Serial Number:**

**Project Leader:** Douglass Bayles

## DETERMINATION OF STAFF: (Choose one of the following abbreviated options for the left column)

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

Determi- nation	Resource	Rationale for Determination	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NC	Air Quality	Previous analysis (EA-040-09-18) is adequate	D. Bayles MB	12/16/15
NP	Areas of Critical Environmental Concern	None present within the field office.	D. Jacobson	1-4-2016
NC	Cultural Resources	Previous analysis (EA-040-09-18) is adequate	Jamie Palmer	12/17/2015
NI	Greenhouse Gas Emissions	Greenhouse Gas (GHG) emissions were not analyzed in the original EA. GHG's created by this livestock operation would continue at current rates and are inconsequential in relation to local and regional emissions.	D. Bayles MB	12/21/15
NC	Environmental Justice	Previous analysis (EA-040-09-18) adequate	D. Bayles MB	12/16/15
NC	Farmlands (Prime or Unique)	Previous analysis (EA-040-09-18) is adequate	D. Bayles MB	12/16/15
NC	Fish and Wildlife Excluding USFW Designated Species	Previous analysis (EA-040-09-18) adequate.	S. Whitfield	12/16/15
NC	Floodplains	Previous analysis (EA-040-09-18) is adequate	D. Bayles MB	12/16/15
NC	Fuels/Fire Management	Previous analysis (EA-040-09-18) is adequate	S Peterson	12/21/15
NC	Geology / Mineral Resources/Energy Production	The previous analysis (EA-040-09-18) is adequate	E. Ginouves	12/16/15
NI	Hydrologic Conditions	Was not analyzed specifically in the original analysis, but hydrologic conditions would have been considered under soils.	D. Bayles MB	12/16/15

Determination	Resource		Signature	
NC	Invasive Species/Noxious Weeds	Previous analysis (EA-040-09-18) is adequate	D. Bayles MB	12/16/15
NC	Lands/Access	Previous analysis (EA-040-09-18) is adequate	M. Campeau CB	12/18/15
NC	Livestock Grazing	Previous analysis (EA-040-09-18) adequate	D. Bayles MB	12/16/15
NC	Migratory Birds	Previous analysis (EA-040-09-18) adequate.	S. Whitfield	12/16/15
NC	Native American Religious Concerns	In accordance with the Memorandum of Understanding between the Paiute Tribe of Utah and the BLM, this project does not require formal consultation.	Jamie Palmer CB	12/17/2015
NC	Paleontology	The previous analysis (EA-040-09-18) is adequate	E. Ginouves CB	12/16/15
NC	Rangeland Health Standards	Previous analysis (EA-040-09-18) adequate	D. Bayles MB	12/16/15
NC	Recreation	Previous analysis (EA-040-09-18) is adequate	D. Jacobson	1-4-2016
NC	Socio-Economics	Previous analysis (EA-040-09-18) adequate	D. Bayles MB	12/15/16
NC	Soils	Previous analysis (EA-040-09-18) is adequate	D. Bayles MB	12/15/16
NC	Threatened, Endangered, Candidate or Sensitive Plant Species	Previous analysis (EA-040-09-18) is adequate.	D. Bayles MB	12/16/15
NC	Threatened, Endangered, Candidate or Sensitive Animal Species	Previous analysis (EA-040-09-18) is adequate.	S. Whitfield	12/16/15
NI	Wastes (hazardous or solid)	There are no HazMat/solid waste concerns or issues related to this grazing allotment. Having and maintaining a proactive approach to stabilization of the soil by promoting vegetative ground cover for proper infiltration is recommended. Wastes from livestock will be minimal with an active waste management program in place and appropriate rotation of the land for grazing of the livestock. Ensure waterways are protected from runoff of wastes created from livestock.	G. Pepper	12/17/2015
NC	Water Resources/Quality (drinking/surface/ground)	Previous analysis (EA-040-09-18) is adequate	D. Bayles MB	12/16/15
NP	Wetlands/Riparian Zones	No Wetlands/Riparian Zones are present within the Eight Mile Hills Allotment	A. Stephens	12/17/15
NP	Wild and Scenic Rivers	None present within the field office.	D. Jacobson	12/17/15
NC	Wilderness/WSA	Previous analysis (EA-040-09-18) is adequate	D. Jacobson	1-4-2016
NC	Woodland / Forestry	Previous analysis (EA-040-09-18) is adequate	D. Bayles MB	12/16/15

NC	Vegetation Excluding USFW Designated Species	Previous analysis (EA-040-09-18) adequate	D. Bayles <i>MB</i>	12/16/15
NC	Visual Resources	Previous analysis (EA-040-09-18) is adequate	D. Jacobson <i>[Signature]</i>	1-4-2016
NC	Wild Horses and Burros	Previous analysis (EA-040-09-18) is adequate.	C. Hunter <i>CH</i>	12/16/15
NI	Lands With Wilderness Characteristics	The 2011 and updated 2014 Wilderness Characteristics Inventory indicates unit UT-C010-132 does not have wilderness characteristics	D. Jacobson <i>[Signature]</i>	1-4-2016

**FINAL REVIEW:**

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	<i>[Signature]</i>	1/7/16	
Authorized Officer	<i>Elizabeth R Burghard</i>	1/7/16	

